

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-against-	:	22-CR-425 (VEC)
	:	
	:	<u>ORDER</u>
CHINWENDU ALISIGWE,	:	
	:	
Defendant.	:	
	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on January 6, 2023, Mr. Alisigwe filed a motion to suppress (the “Motion”),
see Def. Not. of Mot., Dkt. 27;

WHEREAS as part of the Motion, Mr. Alisigwe requested a suppression hearing in the
event of factual disputes precluding the Motion’s resolution, *see* Def. Mem. in Supp. of Mot.,
Dkt. 28, at 8;

WHEREAS a suppression hearing “ordinarily is required if the moving papers are
sufficiently definite, specific, detailed, and nonconjectural to enable the court to conclude that
contested issues of fact going to the validity of the search are in question,” *United States v. Pena*,
961 F.2d 333, 339 (2d Cir. 1992);

WHEREAS the Government responded that a suppression hearing is necessary to resolve
whether law enforcement’s seizure of passports from Mr. Alisigwe’s residence upon his arrest on
July 26, 2022 (the “Seizure”), was lawful, *see* Gov’t Mem., Dkt. 57, at 17;

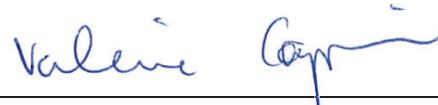
WHEREAS the Court previously ordered that any hearing required to resolve the Motion
would take place on Thursday, October 19, 2023, at 10:00 A.M., *see* Order, Dkt. 55; and

WHEREAS that time is no longer convenient for the Court;

IT IS HEREBY ORDERED that, because Mr. Alisigwe's moving papers are sufficiently detailed to establish contested issues of fact regarding the Seizure's lawfulness,¹ the parties must appear for a suppression hearing regarding the Seizure. The hearing is rescheduled from Thursday, October 19, 2023, at 10:00 A.M. to **Wednesday, September 13, 2023, at 10:00 A.M.**

SO ORDERED.

Date: August 7, 2023
New York, NY



VALERIE CAPRONI
United States District Judge

¹ Not later than **Friday, August 18, 2023**, Mr. Alisigwe must submit a signed version of the declaration in support of his Motion. *See* Alisigwe Decl., Dkt. 29.